

Republic of Bulgaria for Cooperation in the Field of Peaceful Uses of Nuclear Energy with accompanying annex and agreed minute. I am also pleased to transmit my written approval, authorization, and determination concerning the agreement, and the memorandum of the Director of the United States Arms Control and Disarmament Agency with the Nuclear Proliferation Assessment Statement concerning the agreement. The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy, which includes a summary of the provisions of the agreement and various other attachments, including agency views, is also enclosed.

The proposed agreement with the Republic of Bulgaria has been negotiated in accordance with the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 and as otherwise amended. In my judgment, the proposed agreement meets all statutory requirements and will advance the non-proliferation and other foreign policy interests of the United States. It provides a comprehensive framework for peaceful nuclear cooperation between the United States and Bulgaria under appropriate conditions and controls reflecting our strong common commitment to nuclear non-proliferation goals.

Bulgaria has consistently supported international efforts to prevent the spread of nuclear weapons. It was an original signatory of the Non-Proliferation Treaty (NPT) and has strongly supported the Treaty. As a subscriber to the Nuclear Supplier Group (NSG) Guidelines, it is committed to implementing a responsible nuclear export policy. It played a constructive role in the NSG effort to develop additional guidelines for the export of nuclear-related dual-use commodities. In 1990 it initiated a policy of requiring full-scope International Atomic Energy Agency (IAEA) safeguards as a condition of significant new nuclear supply to other nonnuclear weapon states.

I believe that peaceful nuclear cooperation with Bulgaria under the proposed agreement will be fully consistent with, and supportive of, our policy of responding positively and constructively to the process of democratization and economic reform in Eastern Europe. Cooperation under the agreement will also provide opportunities for U.S. business in terms that fully protect vital U.S. national security interests.

I have considered the views and recommendations of the interested agencies in reviewing the proposed agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the agreement and authorized its execution and urge that the Congress give it favorable consideration.

Because this agreement meets all applicable requirements of the Atomic

Energy Act, as amended, for agreements for peaceful nuclear cooperation, I am transmitting it to the Congress without exempting it from any requirement contained in section 123 a. of that Act. This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. The Administration is prepared to begin immediately the consultations with the Senate Foreign Relations and House Foreign Affairs Committees as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, August 4, 1995.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-277. A petition from a citizen of the State of Kansas relative to the Federal Reserve Bank; to the Committee on the Judiciary.

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POM-279. A petition from a citizen of the State of Kansas relative to the Federal Reserve Bank; to the Committee on the Judiciary.

POM-280. A petition from a citizen of the State of Nebraska relative to the Federal Reserve Bank; to the Committee on the Judiciary.

POM-281. A petition from a citizen of the Commonwealth of Massachusetts relative to impeachment; to the Committee on the Judiciary.

POM-282. A petition adopted by the Council of the City of Toledo, Ohio relative to the assault weapons ban; to the Committee on the Judiciary.

POM-283. A resolution adopted by the Unitarian Universalist Congregation of the City of Binghamton, New York relative to the school prayer; to the Committee on the Judiciary.

POM-284. A joint resolution adopted by the Legislature of the State of Illinois; to the Committee on the Judiciary.

"HOUSE JOINT RESOLUTION NO. 33

"Whereas, although the right of free expression is part of the foundation of the Constitution of the United States, very carefully drawn limits on expression in specific instances have long been recognized as legitimate means of maintaining public safety and prohibiting patently offensive behavior; and

"Whereas, certain actions, although arguably related to rights of expression, nevertheless raise issues concerning public decency, public peace, and the rights of other citizens; and

"Whereas, certain symbols of our national soul, such as the Washington Monument, the United States Capitol, and memorials to our greatest Leaders, are the property of every American and are worthy of protection from desecration and dishonor; and

"Whereas, the United States Flag is a most honorable and worthy symbol of a nation that is thankful for its strengths and committed to curing its faults, a nation that remains the destination of millions of immi-

grants attracted by the universal power of the America ideal; and

"Whereas, the law as interpreted by the United States Supreme Court no longer accords the Flag the reverence, respect, and dignity befitting that symbol of the most noble experiment of a nation-state; and

"Whereas, it is appropriate that people everywhere should forcefully call for restoration of the Flag to a proper status that is protected by law and decency; therefore, be it

"Resolved, by the House of Representatives of the Eighty-Ninth General Assembly of the State of Illinois, the Senate concurring herein, That we urge the Congress of the United States to propose to the States an amendment to the Constitution of the United States which specifies that Congress and the States have the power to prohibit the physical desecration of the United States Flag; and be it further

"Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Illinois Congressional Delegation."

POM-285. A resolution adopted by the Senate of the General Assembly of the State of Colorado; to the Committee on the Judiciary.

"SENATE MEMORIAL 95-2

"Whereas, our government is based upon the principle that all political power is vested in and derived from the people and that all persons have certain essential and inalienable rights; and

"Whereas, in support of the amendments to the Constitution, James Madison stated to the United States House of Representatives that he believed '... that the great mass of the people who opposed (the new Constitution) disliked it because it did not contain effectual provisions against the encroachments on particular rights, and those safeguards which they have been long accustomed to have interposed between them and the magistrate who exercises the sovereign power . . .'; and

"Whereas, after considerable debate, the Constitution of the United States was amended by the first ten amendments collectively known as the Bill of Rights in order to formally recognize and establish the inalienable rights of each and every individual; and

"Whereas, all of the rights protected in the United States Bill of Rights are important and should be respected; and

"Whereas, the Fourth Amendment states: 'The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.'; and

"Whereas, the exclusionary rule has been central to implementation of the Fourth Amendment in the federal courts for almost a century; and

"Whereas, the exclusionary rule has worked well to protect the privacy and dignity of all Americans and to protect the integrity of law enforcement; and

"Whereas, our government must avoid federal attempts through legislation to weaken the Fourth Amendment; and

"Whereas, the inevitable result of federal attempts to weaken the Fourth Amendment would be an increase in the number of warrantless searches and a decrease in the privacy rights of all Americans, the innocent as well as the guilty; Now, therefore, be it

"Resolved by the Senate of the Sixtieth General Assembly of the State of Colorado: That

we, the members of the Colorado Senate, hereby support the right of citizens to be free from unreasonable searches and seizures as set out in the current language of the Fourth Amendment to the United States Constitution and urge Congress to make every effort necessary to protect the integrity of the Fourth Amendment, be it further

"Resolved, That copies of this Memorial be transmitted to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, the Governor of the State of Colorado, and the Colorado Congressional Delegation."

POM-286. A concurrent resolution adopted by the Legislature of the State of Louisiana; to the Committee on the Judiciary.

"SENATE CONCURRENT RESOLUTION No. 33

"Whereas, the United States flag is a symbol of patriotism and celebration of American freedom; and

"Whereas, desecration of the flag disgusts and enrages many citizens of the United States, including veterans who have fought to uphold what the flag symbolizes; and

"Whereas, the Supreme Court of the United States has held that flag burning is protected speech under the First Amendment of the Constitution of the United States and consequently, cannot be banned; and

"Whereas, congressional votes in both houses fell just short of the two-thirds majority needed for a constitutional amendment to ban flag burning in 1990; and

"Whereas, the Citizens Flag Alliance has currently signed up one hundred eighty-four sponsors in the House of Representatives and Senate for a bill to overturn the Supreme Court rulings; and

"Whereas, a Gallup Poll commissioned by the American Legion showed that as many as eighty percent of Americans support a ban on flag burning, therefore, be it

"Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to propose an amendment to the Constitution of the United States to prohibit the burning of the United States flag, be it further

"Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana congressional delegation."

POM-287. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on the Judiciary.

"SENATE JOINT RESOLUTION No. 2

"WHEREAS, the United States Supreme Court, in *Misouri v. Jenkins*, 110 Sup. Ct. 1651 (1990), extended the power of the judicial branch of government by holding that a federal court has the power to order an increase in state and local taxes; and

"WHEREAS, this unprecedented decision violates one of the fundamental tenets of the doctrine of separation of powers, that the members of the federal judiciary should not have the power to tax; and

"WHEREAS, in response to this decision, several members of Congress have introduced a proposal to amend the Constitution of the United States to reestablish the principle that the judiciary does not have the power to tax; and

"WHEREAS, in addition to being introduced in Congress such a constitutional amendment, has also been proposed by several states; and

"WHEREAS, the passage of such a constitutional amendment, first by a two-thirds majority in both houses of congress and then by three-fourths of the several states' legislatures or conventions, would serve to reverse an erroneous decision; and

"WHEREAS, the proposed amendment to the Constitution of the United States properly seeks to prevent federal courts from levying or increasing taxes without representation of the people and against the people's wishes; Now, therefore, be it

"Resolved by the Senate and Assembly of the State of Nevada jointly," That the Nevada Legislature hereby urges Congress to propose and submit to the several states for ratification an amendment to the Constitution of the United States, providing that neither the Supreme Court of the United States nor any inferior court of the United States has the power to instruct or order a state or political subdivision thereof, or an officer of a state or political subdivision, to levy or increases taxes; and be it further

"Resolved, That the Nevada Legislature calls upon the Nevada Congressional Delegation to use immediately the full measure of their resources and influence to ensure the passage of the amendment to the Constitution of the United States; and be it further

"Resolved, That the Nevada Legislature urges the legislatures of each of the several states comprising the United States which have not yet made similar requests to urge Congress to propose and submit to the several states for ratification an amendment to the Constitution of the United States; and be it further;

"Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, and the presiding officer any minority party leader in each house of the legislatures of each state in the Union; and be it further

"Resolved, That this resolution becomes effective upon passage and approval."

POM-288. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on the Judiciary.

"ASSEMBLY JOINT RESOLUTION No. 34

"Whereas, the protection, conservation and allocation of taxes collected from the residents of this state is a matter within the purview of the Nevada Legislature; and

"Whereas, the State of Nevada has finite resources for funding services and programs which are essential to the residents of this state; and

"Whereas, the State of Nevada is firmly committed to complying fully with all constitutional requirements for the care and custody of prisoners in this state and with any applicable order concerning the care and custody of prisoners entered by a court of competent jurisdiction; and

"Whereas, judicial decisions requiring this state to provide care and custody of prisoners which exceeds constitutional requirements may have a detrimental fiscal impact upon this state; now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada, jointly, That the Nevada Legislature urges the Congress of the United States to pass legislation that would prohibit a court from limiting or reducing the number of prisoners housed in an institution unless a plaintiff proves that overcrowding is the primary cause of the deprivation of a constitutional right and that no other relief would remedy that deprivation, and would limit any relief ordered by the court to that which is necessary to remove the conditions depriving the plaintiff of the constitutional right; and be it further

"Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate,

the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

"Resolved, That this resolution becomes effective upon passage and approval."

POM-289. A concurrent resolution adopted by the Legislature of the State of Texas; to the Committee on the Judiciary.

"HOUSE CONCURRENT RESOLUTION No. 30

"Whereas, in response to an Act of Congress approved April 10, 1869, the 12th Legislature of the State of Texas convened in Provisional Session from February 8 to February 24, 1870, and ratified Amendments XIII, XIV, and XV to the United States Constitution; and

"Whereas, those federal constitutional amendments, each ratified by separate joint resolutions of the 12th Legislature on February 15, 1870, solidified some of the most precious rights that have been guaranteed constitutionally to Americans, particularly ethnic minorities who were granted the blessings of equal citizenship and the beginning of an end to their past oppression; and

"Whereas, Amendment XIII eliminated forever the practice of slavery, Amendment XIV promised due process and the equal protection of the laws, and Amendment XV prohibited denial of suffrage on the grounds of race, color, or previous condition of servitude; and

"Whereas, over time, copies of the three resolutions regrettably have vanished from the holdings of the Texas state archives, yet others are preserved in Washington, D.C., by virtue of their certification and transmittal to the Secretary of State of the United States and to the presiding officers of the United States Congress; and

"Whereas, the 1995 Regular Session of the 74th Legislature coincides with the 125th anniversary of these historic ratification actions and marks an appropriate time for the conveyance to this state of replicas of the three resolutions so that Texans may view and appreciate a series of documents that have played such an important role in the extension and elaboration of their civil rights; Now, therefore, be it

"Resolved, That the 74th Legislature of the State of Texas, Regular Session, 1995, hereby respectfully request the National Archives and Records Administration to make copies of the joint resolutions of the 12th Texas Legislature ratifying Amendments XIII, XIV, and XV to the United States Constitution and transmit those copies to the Texas State Library and Archives Commission for placement in the state archives; and, be it further

"Resolved, That the Texas secretary of state forward copies of this resolution to the archivist of the United States at the National Archives and Records Administration, to the vice-president of the United States and speaker of the United States House of Representatives with a request that this resolution be officially entered in the Congressional Record, and to all members of the Texas delegation to the United States Congress, as an official request to the federal government by the 74th Legislature of the State of Texas; and be it further

"Resolved, That if and when such replicas are received from the National Archives and Records Administration, the Texas State Library and Archives Commission be hereby directed to place them in the holdings of the state archives to be available for public viewing and photocopying and in all other respects to be treated as any other material worthy of archival storage and retrieval."

POM-290. A joint resolution adopted by the General Assembly of the State of Tennessee; to the Committee on the Judiciary.

"SENATE JOINT RESOLUTION NO. 15

"Whereas, the founders of our nation appended to the Constitution of the United States ten amendments commonly known as the Bill of Rights; and

"Whereas, the First Amendment of the Constitution of the United States provides that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances'; and

"Whereas, the Ninth Amendment of the Constitution of the United States provides that 'The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people'; and

"Whereas, the clear and express intent of the framers of the Constitution was to prevent the Federal Government from interfering with the right of the people to freely exercise and express their religious beliefs; and

"Whereas, for more than one hundred and fifty years the people, acting through their state and local governments, enjoyed the freedom to provide for prayer and religious expression in their schools and public assemblies; and

"Whereas, beginning in the 1960's, the United States Supreme Court has issued a series of rulings that have systematically stripped from the people their historic and constitutionally guaranteed right to provide for prayer, religious study and religious expression in schools and public assemblies; and

"Whereas, to date, the Congress of the United States has failed or refused to restore to the people their right to provide for prayer, religious study and religious expression in schools and public assemblies; and

"Whereas, it is now time for the citizens of this nation to reclaim and reassert our First Amendment rights which constitutionally guarantee our freedom of religion and freedom of religious expression: Now, therefore, be it

"Resolved by the Senate of the Ninety-Ninth General Assembly of the State of Tennessee, the House of Representatives concurring. That this General Assembly hereby memorializes the United States Congress to propose an amendment to the United States Constitution to restore to the American people the right to free religious expression, including the right to allow non-sectarian prayer, religious study and religious expression in public schools and other public assemblies, and to submit such constitutional amendment to the several states for proper ratification, be it further

"Resolved, That the Chief Clerk of the Senate is directed to transmit an enrolled copy of this resolution to the Speaker and the Clerk of the U.S. House of Representatives; the President and the Secretary of the U.S. Senate; and to each member of Tennessee's Congressional delegation."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BOND, from the Committee on Small Business, with an amendment in the nature of a substitute:

S. 895. A bill to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes (Rept. No. 104-129).

ADDITIONAL COSPONSORS

S. 895

At the request of Mr. BOND, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from Minnesota [Mr. WELLSTONE], the Senator from Montana [Mr. BURNS], and the Senator from Maine [Ms. SNOWE] were added as cosponsors of S. 895, a bill to amend the Small Business Act to reduce the level of participation by the Small Business Administration in certain loans guaranteed by the Administration, and for other purposes.

AMENDMENTS SUBMITTED

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

MIKULSKI (AND SARBANES)
AMENDMENT NO. 2126

(Ordered to lie on the table.)

Ms. MIKULSKI (for herself and Mr. SARBANES) submitted an amendment intended to be proposed by them to the bill (S. 1026) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 468, below line 24, add the following:

SEC. 2825. CONSOLIDATION OF DISPOSAL OF PROPERTY AND FACILITIES AT FORT HOLABIRD, MARYLAND.

(a) CONSOLIDATION.—Notwithstanding any other provision of law, the Secretary of Defense shall dispose of the property and facilities at Fort Holabird, Maryland, described in subsection (b) in accordance with the provisions of the 1990 base closure law as such provisions apply to the closure or realignment of military installations approved for closure or realignment under that law in 1995.

(b) COVERED PROPERTY AND FACILITIES.—Subsection (a) applies to the following property and facilities at Fort Holabird, Maryland:

(1) Property and facilities that were approved for closure or realignment under the 1988 base Closure law that are not disposed of as of the date of the enactment of this Act, including buildings 305 and 306 and the parking lots and other property associated with such buildings.

(2) Property and facilities that are approved for closure or realignment under the 1990 base closure law in 1995.

(c) USE OF SURVEYS AND OTHER EVALUATIONS OF PROPERTY.—In carrying out the disposal of the property and facilities referred to in subsection (b)(1), the Secretary shall utilize any surveys and other evaluations of such property and facilities that are prepared by the Corps of Engineers before the date of the enactment of this Act as part of the process for the disposal of such property and facilities under the 1988 base closure law.

(d) DEFINITIONS.—In this section:

(1) The term "1988 base closure law" means title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(2) The term "1990 base closure law" means the Defense Base closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

SEC. 2826. LAND CONVEYANCE, PROPERTY UNDERLYING CUMMINS APARTMENT COMPLEX, FORT HOLABIRD, MARYLAND.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Secretary of the Army may convey to the existing owner of the improvements thereon all right, title, and interest of the United States in and to a parcel of real property underlying the Cummins Apartment Complex at Fort Holabird, Maryland, consisting of approximately 6 acres.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the owner of the improvements referred to in that subsection shall pay to the United States an amount equal to the fair market value (as determined by the Secretary) of the property interest to be conveyed.

GLENN (AND OTHERS)
AMENDMENT NO. 2127

(Ordered to lie on the table.)

Mr. GLENN (for himself, Mrs. FEINSTEIN, Mr. PELL, and Mr. MOYNIHAN) submitted an amendment intended to be proposed by them to the bill S. 1026, supra, as follows:

On page 49, between lines 14 and 15, insert the following:

SEC. 224. JOINT SEISMIC PROGRAM AND GLOBAL SEISMIC NETWORK.

To the extent provided in appropriations Acts, \$9,500,000 of the unobligated balance of funds available to the Air Force for research, development, test, and evaluation for fiscal year 1995 for the Defense Support Program shall be available for continuation of the Joint Seismic Program and Global Seismic Network.

LEAHY AMENDMENT NO. 2128

Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 1026, supra, as follows:

On page 358, beginning on line 5, strike out "personnel." and all that follows through line 8 on that page, and insert in lieu thereof "personnel.'".

GRASSLEY AMENDMENT NO. 2129

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1026, supra, as follows:

At the appropriate place in title X of the bill, insert the following:

SEC. 10. REDUCTION IN OPERATIONAL SUPPORT AIRCRAFT FLEET.

(a) REDUCTION IN NUMBER OF AIRCRAFT.—(1) After September 30, 1996, the number of aircraft of the Department of Defense performing functions that as of June 1, 1995, were performed by aircraft designated as Operational Support Aircraft may not exceed three-quarters of the number of such aircraft as of June 1, 1995.

(2) After September 30, 1997, the number of aircraft of the Department of Defense performing functions that as of June 1, 1995, were performed by aircraft designated as Operational Support Aircraft may not exceed one-half of the number of such aircraft as of June 1, 1995.

(3) The Secretary of Defense may authorize a higher number of Operational Support aircraft to perform functions referred to in